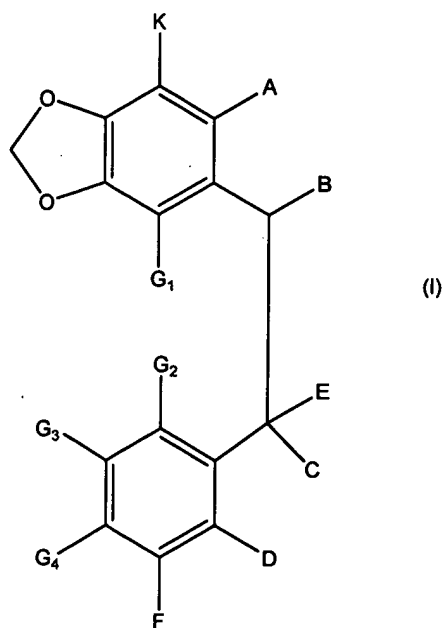


Amendments to the Claims:

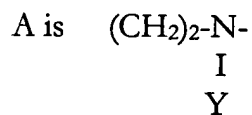
This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A compound of formula (I):



wherein:



and forms a nitrogen-containing heterocycloalkyl ring with B,

in which Y is:

- (a) hydrogen, C₁₋₆ alkyl, or C₁₋₆ alkylaryl,
- (b) -C(O)-C₁₋₆ alkyl or -C(O)-C₁₋₆ alkylaryl,
- (c) -CH₂-CH(OH)-CH₂-Z, where Z is C₁₋₆ alkyl or -O-C₁₋₆ alkyl,
- (d) aryl, or
- (e) heteroaryl;

B is -OH, halogen, or a single bond that forms a six-membered heterocycloalkyl ring with A;

C is hydrogen, C₁₋₆ alkyl, or halogen;

D is (i) -CH₂-halogen, -CH(O), -COOH, -C(O)-O-C₁₋₆ alkyl, -C(O)-O-C₁₋₆ alkylaryl, -CH₂OH, or -(CH₂)_n-CH₃, wherein n is 1, 2, or 3, or

(ii) together with E forms a five- or six-membered cycloalkyl or heterocycloalkyl ring[[:]]

E is -OH or C₁₋₆ alkyl, or together with D forms a five- or six-membered cycloalkyl or heterocycloalkyl ring, wherein this heterocycloalkyl ring contains -C(O)O-, -C(O)NH-, -C(S)O-, or -C(S)NH-;

F is hydrogen, -O-C₁₋₆ alkyl, -O-C₁₋₆ alkylaryl, -O-C₁₋₆ alkylheteroaryl, halogen, aryl, C₁₋₆ alkyl, -SH, thio-C₁₋₆ alkyl, -S-aryl, -O-SO₂-C₁₋₆ alkyl, -O-SO₂-C₁₋₆ alkylaryl, cyano, or NR₁R₂, where R₁ and R₂ are independently hydrogen, C₁₋₆ alkyl, C₁₋₆ alkylaryl, cyano, aryl, heteroaryl, -SO₂-C₁₋₆ alkyl, or -SO₂-N(C₁₋₆ alkyl)(C₁₋₆ alkyl);

G₁ to G₄ independently represent hydrogen, aryl, halogen, C₁₋₆ alkyl, hydroxyl, -S-C₁₋₆

alkyl, nitro, -O-C₁₋₆ alkyl, -O-C₁₋₆ alkylaryl, or -(CH₂)_xNR₁R₂, where x is 0, 1, or 2 and where R₁ and R₂ are independently hydrogen, C₁₋₆ alkyl, C₁₋₆ alkylaryl, cyano, aryl, heteroaryl, or acyl, or two adjacent G₂ to G₄ groups together comprise an alkylene -(CH₂)_m-, where m is 3 or 4, to form a cycloalkyl ring, or together comprise an alkylene dioxy -O-(CH₂)_n-O-, where n is 1, 2, or 3, to form a heterocycloalkyl ring; and

K is C₁₋₆ alkyl, halogen, cyano, aryl, hydrogen, hydroxyl, thio-C₁₋₆ alkyl, sulfonyl, sulfoxyl, nitro, -O-C₁₋₆ alkyl, -O-C₁₋₆ alkylaryl, or NR₁R₂, where R₁ and R₂ are independently hydrogen, C₁₋₆ alkyl, C₁₋₆ alkylaryl, cyano, aryl, heteroaryl, or acyl;

wherein said acyl is a -C(O)R radical, wherein R is an alkyl radical;

wherein one or more of said alkyl, aryl, heteroaryl, cycloalkyl, heterocycloalkyl, and alkylaryl groups are optionally substituted with one or more suitable substituents; ~~a salt thereof, a solvate thereof, a solvated salt thereof, or a combination of two or more thereof;~~
salts of the compound of formula (I), solvates of the compound of formula (I), solvated salts of the compound of formula (I), and combinations thereof;

provided that when A is -(CH₂)₂-N(Y)- and forms a nitrogen-containing heterocycloalkyl ring with B, and D together with E forms an unsubstituted five-membered heterocycloalkyl ring that contains -C(O)O-, then:

- (i) F is not unsubstituted -O-C₁₋₆ alkyl or dialkylamino-substituted -O-C₁₋₆ alkyl when G₁ is hydrogen, hydroxyl, or unsubstituted -O-C₁₋₆ alkyl, G₂ is hydrogen, halogen, or a nitrogen-containing radical, G₃ is hydrogen, G₄ is

hydroxyl or unsubstituted -O-C₁₋₆ alkyl, and Y is hydrogen, unsubstituted C₁₋₆ alkyl, oxo-substituted C₁₋₆ alkyl, thiocarbamoyl-substituted C₁₋₆ alkyl, hydroxy-substituted C₁₋₆ alkyl, or heteroaryl,

(ii) F is not -NO₂ or NR₁R₂ where R₁ and R₂ are both hydrogen or the same oxo-substituted C₁₋₆ alkyl (a) when at least three of G₁, G₂, G₃, and G₄ are the same unsubstituted -O-C₁₋₆ alkyl or (b) when G₂ is -NO₂, and

(iii) F is not hydrogen (a) when G₂, G₃, and G₄ are all hydrogen or (b) when G₂ and G₃ or G₃ and G₄ together comprise a methylenedioxy or (c) when at least two of G₂, G₃, and G₄ are unsubstituted -O-C₁₋₆ alkyl or (d) when G₁ is unsubstituted -O-C₁₋₆ alkyl and G₄ is a nitrogen-containing radical or halogen; and

further provided that when A is -(CH₂)₂-N(Y)- and forms a nitrogen-containing heterocycloalkyl ring with B, D is -CH₂OH and E is -OH, then:

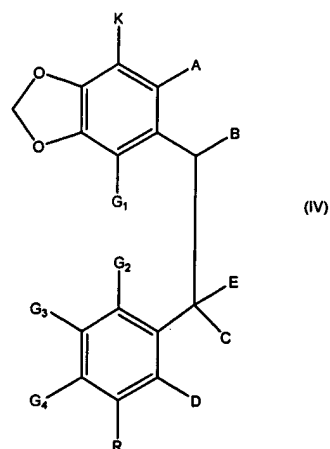
(i) F is not unsubstituted -O-C₁₋₆ alkyl, G₄ is unsubstituted -O-C₁₋₆ alkyl, and Y is unsubstituted C₁₋₆ alkyl.

2. (Canceled)

3. (Currently Amended) The compound of claim 2 1, wherein Y is hydrogen, C₁₋₆ alkyl, or C₁₋₆ alkylaryl.

4. (Original) The compound of claim 1, wherein D together with E forms a substituted or unsubstituted five- or six-membered heterocycloalkyl ring that contains -C(O)O-, -C(O)NH-, -C(S)O-, or -C(S)NH-.
5. (Original) The compound of claim 1, wherein D together with E forms a five-membered heterocycloalkyl ring that contains -C(O)O-.
6. (Canceled)
7. (Canceled)
8. (Currently Amended) The compound of claim ~~6 or 7~~ 1, wherein Y is hydrogen, C₁₋₆ alkyl, or C₁₋₆ alkylaryl.
9. (Currently Amended) The compound of claim ~~1, 6, or 7~~ 1, wherein K is hydrogen.
10. (Currently Amended) The compound of claim ~~1, 6, or 7~~ 1, wherein G₁ to G₄ each independently represents hydrogen or -O-C₁₋₆ alkyl.
11. (Currently Amended) The compound of claim ~~6 or 7~~ 1, wherein said compound is present as a racemic mixture.

12. (Original) The compound of claim 11, wherein one isomer of said compound is present in an amount greater than 50% of said racemic mixture.
13. (Original) The compound of claim 11, wherein one isomer of said compound is present in an amount greater than 75% of said racemic mixture.
14. (Original) The compound of claim 11, wherein one isomer of said compound is present in an amount greater than 90% of said racemic mixture.
15. (Original) A pharmaceutical composition comprising a pharmaceutically effective amount of a compound of claim 1 and a pharmaceutically acceptable carrier.
- 16-120. (Canceled)
121. (Withdrawn) A method of making the compound of claim 1 by direct nucleophilic substitution, comprising reacting a compound of formula (IV):



wherein each of the variables other than R are defined as in claim 1 and R is a suitable leaving group, with a suitable nucleophile to form a compound according to formula (I).

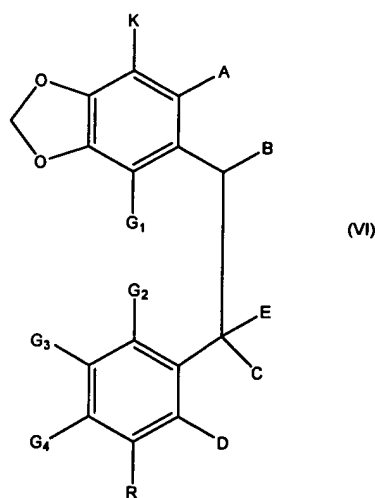
122. (Withdrawn) The method of claim 121, wherein R is a halogen, -O-C₁₋₆ alkyl or -O-SO₂-C₁₋₆ alkyl.

123. (Withdrawn) The method of claim 120, wherein said compound of formula (IV) is mixed with a suitable catalyst.

124. (Withdrawn) The method of claim 123, wherein said suitable catalyst comprises tris(dibenzylideneacetone)-dipalladium chloroform adduct, 1,1'-bis(diphenylphosphino)ferrocene (DPPF), tetrakis(triphenylphosphine)palladium or mixtures thereof.

125. (Withdrawn) The method of claim 123, wherein a suitable base is added to the mixture of said compound of formula (IV) and said suitable catalyst.

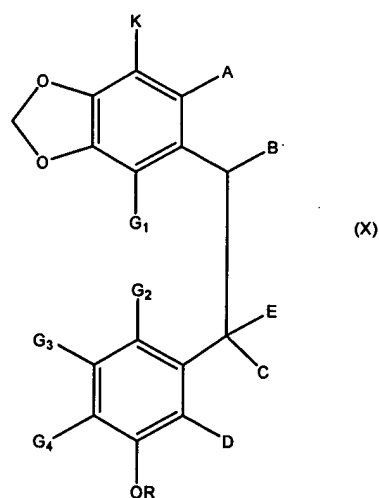
126. (Withdrawn) A method of making the compound of claim 1 by direct alkylation, comprising reacting a compound of formula (VI):



wherein each of the variables other than R are defined as in claim 1 and R is a suitable leaving group, with a suitable donor to form a compound according to formula (I).

127. (Withdrawn) The method of claim 126, wherein R is a hydroxyl or substituted hydroxyl.

128. (Withdrawn) The method of claim 126, wherein said suitable donor is C_{1-6} alkyl halide or substituted C_{1-6} alkyl halide.
129. (Withdrawn) The method of claim 126, wherein said compound of formula (VI) is mixed with a suitable catalyst.
130. (Withdrawn) The method of claim 129, wherein said suitable catalyst comprises tetrabutylammonium iodide.
131. (Withdrawn) A method of making the compound of claim 1 by alkoxide addition, comprising reacting a compound of formula (X):



wherein each of the variables other than R are defined as in claim 1 and R is C_{1-6} alkyl, with a

base in a suitable solvent to form an alkoxide, and reacting the alkoxide with an electrophilic alkylating agent to form a compound according to formula (I).

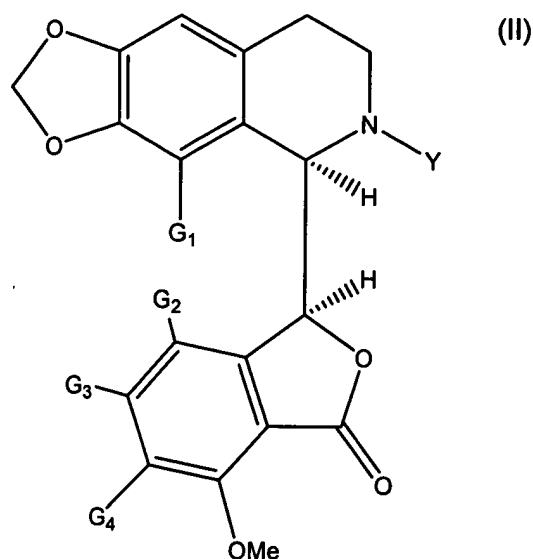
132. (Withdrawn) The method of claim 131, wherein said suitable solvent comprises toluene, 1-methyl-2-pyrrolidinone or mixtures thereof.

133. (Withdrawn) The method of claim 131, wherein the molar ratio of said compound of formula (X) to said electrophilic alkylating agent is about 1:1 to about 1:10.

134. (Withdrawn) The method of claim 131, wherein the molar ratio of said compound of formula (X) to said electrophilic alkylating agent is about 1:1 to about 1:3.

135. (Withdrawn) The method of claim 131, wherein said electrophilic alkylating agent is an alkyl halide or heteroaryl.

136. (Withdrawn) A method of making the compound of claim 1, comprising converting a compound of formula (II):



wherein:

Y is:

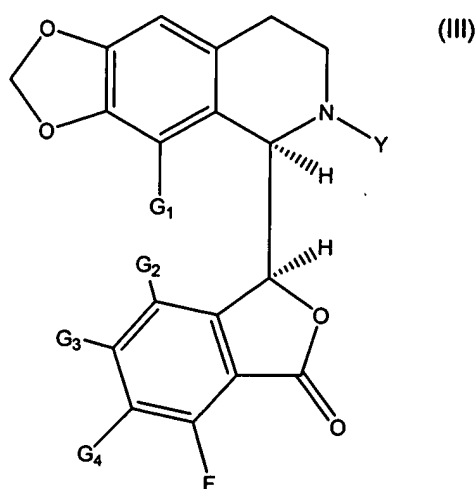
- (a) hydrogen, C₁₋₆alkyl, or C₁₋₆alkylaryl,
- (b) -C(O)-C₁₋₆alkyl or -C(O)-C₁₋₆alkylaryl,
- (c) -CH₂-CH(OH)-CH₂-Z, where Z is C₁₋₆alkyl or -O-C₁₋₆alkyl,
- (d) aryl, or
- (e) heteroaryl; and

G₁ to G₄ independently represent hydrogen, aryl, halogen, C₁₋₆alkyl, hydroxyl, -S-C₁₋₆alkyl, nitro, -O-C₁₋₆alkyl, -O-C₁₋₆alkylaryl, or -(CH₂)_xNR₁R₂, where x is 0, 1, or 2 and where R₁ and R₂ are independently hydrogen, C₁₋₆alkyl, C₁₋₆alkylaryl, cyano, aryl, heteroaryl, or acyl, or two adjacent G₂ to G₄ groups together comprise an alkylene -(CH₂)_m-, where m is 3 or

4, to form a cycloalkyl ring, or together comprise an alkylene dioxy $\text{--O--(CH}_2\text{)}_n\text{--O--}$, where n is 1, 2, or 3, to form a heterocycloalkyl ring;

a salt thereof, a solvate thereof, a solvated salt thereof, or a combination of two or more thereof;

into a single stereoisomer of formula (III):



wherein G_1 , G_2 , G_3 , G_4 , and Y are as defined above, and F is $\text{--O--C}_{2-6}\text{alkyl}$, $\text{--O--C}_{1-6}\text{alkylaryl}$, $\text{--O--C}_{1-6}\text{alkylheteroaryl}$, halogen, aryl, $\text{C}_{1-6}\text{alkyl}$, --SH , thio- $\text{C}_{1-6}\text{alkyl}$, --S--aryl , $\text{--O--SO}_2\text{--C}_{1-6}\text{alkyl}$, $\text{--O--SO}_2\text{--C}_{1-6}\text{alkylaryl}$, cyano, or NR_1R_2 , where R_1 and R_2 are independently hydrogen, $\text{C}_{1-6}\text{alkyl}$, $\text{C}_{1-6}\text{alkylaryl}$, cyano, aryl, heteroaryl, $\text{--SO}_2\text{--C}_{1-6}\text{alkyl}$, or $\text{--SO}_2\text{--N(C}_{1-6}\text{alkyl)(C}_{1-6}\text{alkyl)}$, provided that F is not $\text{--O--t-C}_4\text{H}_9$ or $\text{--O--CH}_2\text{CH}_2\text{N(C}_2\text{H}_5)_2$;

wherein one or more of said alkyl, aryl, heteroaryl, and alkylaryl groups are optionally substituted with one or more suitable substituents;

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Reply to Office Action of September 3, 2004

a salt thereof, a solvate thereof, a solvated salt thereof, or a combination of two or more thereof.